

### **REMARKS/ARGUMENTS**

In the Office Action dated January 19, 2007, the Examiner has issued a non-final rejection. Claims 1-18 and 20-28 are pending in the Application. All of the pending claims are rejected. Additionally, the Examiner has objected to the specification.

The specification is amended in this Response to respond to the objection.

The claims are amended in response to the objection and the rejections.

Claim 1 is objected to for an informality that is corrected in the amendment to Claim 1.

Claims 1 and 21 are rejected under 35 U.S.C. §112 because of the use of the term, “pre-stressed” element. Claim 1 has been amended to remove this term. Claim 21 is supported in the specification by paragraphs 38 and 39. Paragraph 38 describes the nature of the pre-stressed element. The amendments to claim 21 further describe the nature of the pre-stressed elastic element.

Claims 7 and 24 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement because of the recitation of, “the component is an elastic ring element, which is embodied so that it can be compressed causing it to be expanded radially”. This subject matter is addressed in paragraph 42, lines 12-34. It is respectfully contended that in an embodiment shown in Fig. 11, the component 44 is an elastic ring element 94 and this is consistent with the description. Claim 7 has been amended to remove the designation of 96 after the elastic ring element. The same amendment has been made to Claim 24.

Claims 1-28 are rejected under 35 U.S.C. §112 as being indefinite. Claims 1 and 21 are rejected because of the use of the term, “radial” or “radially”, since no frame of reference has been established. Claim 1 has been amended to state that radial direction is radial with respect to the shaft. Claim 21 is applicable to the embodiment described in paragraphs 38-39 and shown

on Figs. 9a and 9b. It is respectfully contended that the radial perspective is described in paragraph 38.

Claim 22 is rejected as indefinite because of the use of the phrase, “saw-tooth-like”. It is respectfully contended that one skilled in the art would understand this phrase as referring to a profile of a wood saw. Additionally, since Claim 22 depends on Claim 21, the amendments to Claim 21 further define the saw-tooth-like profile.

Claims 1, 5-12, 14, 21, 13, 18, 20, 23-28 are rejected under 35 U.S.C. §102(b) as being anticipated by Giandinoto et al., U.S. Patent No. 3,848,477. Claim 1 has been amended to state that “component (44), which cooperates with at least one of the stopping faces (35, 36), is arranged in a displaceable manner perpendicular to the longitudinal axis (30) by means of an elastic element (48) embodied as a single uniform member of component (44) as a bent punched part to form a wedge-shaped component that causes the elastic element to displace in a radial direction with respect to the shaft thereby maintaining an axial force to eliminate shaft longitudinal play”. It is respectfully submitted that this is not shown or disclosed or suggested by Giandinoto. Giandinoto does not provide any indication or suggestion of an elastic element embodied as a single uniform member of component (44) as a bent-punched part. This construction of the elastic element embodied as a single uniform member of the component is simpler and less expensive to manufacture and to assemble in the structure than the embodiment disclosed in Giandinoto. It is respectfully pointed out that the spring element (36) in Giandinoto is not a single uniform member with the component. Rather, it is a separate part.

The claims that depend either directly or indirectly on Claim 1 are now patentable for the same reasons as Claim 1 as amended. This includes Claims 2-12 and 14.

Claim 21 has been amended to recite, “wherein the component (44) is embodied as a two-step wedge having two inclined stopping surfaces (62, 63) connected via an intermediate surface (76) that runs parallel to plane (42) such that the component (44) causes the elastic element to displace in a radial direction thereby maintaining an axial force to equalize shaft longitudinal play”. This claim describes the embodiment shown in Figs. 9a and 9b. The specific structure of

a two-step wedge having two inclined stopping surfaces connected via a non-inclined intermediate surface is not shown, disclosed or suggested in the prior art. The advantages of this specific structure are described in paragraph 39 of the Specification. As the description states, with this embodiment the corresponding stopping face (36) has a correspondingly stepped-wedge profile. In this connection, the structural height (78) (as shown in Fig. 9a) of the component (44) can be reduced without the angle of inclination (40) being reduced as a result.

Giandinoto does not disclose or suggest such a component with a two-step wedge having two inclined stopping surfaces separated by a non-inclined surface. Claims 13, 15-18, 20 and 22-28 depend either directly or indirectly on Claim 21 and are patentable for the same reasons.

Claim 2 is rejected under 35 U.S.C. §103(a) as being unpatentable over Giandinoto et al in view of Gunner et al, EP0563410. Claim 2 is dependent on Claim 1 and is therefore patentable over Giandinoto for the same reasons as described in reference to Claim 1 and now patentably distinguishes over Giandinoto.

Similarly, Claims 3 and 4 are rejected under 35 U.S.C. §103(a) as being unpatentable over Giandinoto et al, in view of Zoino, U.S. Patent No. 4,212,379. Additionally, Claims 15-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Giandinoto in view of Zoino, but for different reasons. Again, however, these claims depend on Claim 1 and are now patentable for the same reasons as described in respect to Claim 1.

Claim 22 is rejected under 35 U.S.C. §103(a) as being unpatentable over Giandinoto in view of Gunner et al, EP0563410. Claim 22 is dependent on Claim 21 and therefore is patentable over Giandinoto for the same reasons as described in relation to Claim 21.

### **CONCLUSION**

In light of the foregoing, it is respectfully contended that Claims 1 and 21, as amended, are not shown, disclosed or suggested in the prior art and therefore, Claims 1, 21 and all of the remaining claims which all depend either directly or indirectly on Claims 1 and 21 patentably

distinguish over the prior art. In light of the foregoing, Applicants respectfully request allowance of all remaining claims.

The undersigned is available for telephone consultation during normal business hours.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Donald W. Walk', with a stylized flourish at the end.

Donald W. Walk  
Reg. No. 29,118

Docket No.: 081276-1063-00  
Michael Best & Friedrich LLP  
100 East Wisconsin Avenue  
Suite 3300  
Milwaukee, Wisconsin 53202-4108  
414.271.6560